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Smith Gambrell & Russell Suite 800 1850 M Street N W Washington DC 20036

In re Application of

TANAKA

Application No.: 10/541,379 PCT No.: PCT/JP2005/005797

Int. Filing Date: 29 March 2005 Priority Date: 11 August 2004

Attorney's Docket No.: 033082 M 259

For: PROCESS SYSTEM, PROCESS METHOD, AND COMPUTER READABLE STORAGE MEDIUM

AND COMPUTER PROGRAM

NOTIFICATION

This application is before the Office of PCT Legal Affairs for consideration of matters arising under 35 U.S.C. 371.

On 29 March 2005, applicant filed international application PCT/JP2005/005797, which designated the United States and claimed a priority date of 11 August 2004. A copy of the international application was communicated to the USPTO from the International Bureau on 16 February 2006. The thirty-month period for paying the basic national fee in the United States expires at midnight on 12 February 2007 (11 February 2007 being a Sunday).

On 06 November 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a declaration of the inventor, a translation of the international application into English and a check for \$2,590.00. The Transmittal Letter also authorized charging of any additional fees which may be required to Deposit Account No. 02-4300.

On 09 November 2005, the United States Designated/Elected Office mailed a Notification of Insufficient Fees (Form PCT/DO/EO/923) indicating that the surcharge under 37 CFR 1.492(h) was required.

The surcharge under 37 CFR 1.492(h) is not required in the instant application. The Notification of Insufficient Fees mailed 09 November 2005 was sent in error and is hereby **VACATED**.

Daniel Stemmer Legal Examiner PCT Legal Affairs

Office of Patent Cooperation Treaty

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